

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
V.)	Docket No. 1:15CR00003-001
)	
LAMONT ANDRE THOMAS,)	
Defendant)	

POSITION OF THE DEFENDANT
WITH RESPECT TO SENTENCING FACTORS

COMES NOW the defendant, LAMONT ANDRE THOMAS, by and through counsel, Denise J. Tassi, and respectfully represents that he and counsel reviewed the Presentence Investigation Report prepared by the United States Probation Office in this matter.

On April 21, 2015, the defendant entered a plea of guilty to Count 4 of the Indictment charging him with the Use, Carrying or Brandish a Firearm During and in Relation to a Crime of Violence, in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii). This offense carries a mandatory minimum sentence of seven years up to life imprisonment and a fine of up to \$250,000.00.

According to the Presentence Investigation Report, the Sentencing Guidelines do not apply to this offense. For the reasons set forth below, the defendant respectfully requests this Honorable Court to sentence him to no more than seven years in prison.

THE NATURE AND CIRCUMSTANCES OF THE OFFENSE

From early February, 2010 through April, 2010, the defendant's older brother, Eugene Anthony Thomas, committed twelve armed robberies in Fairfax and Arlington counties. Gas station and convenience stores were his usual targets. When the defendant learned of his brother's actions, the defendant agreed to assist him. The defendant participated in three of his brother's twelve robberies as either a look out or a driver.

HISTORY AND CHARACTERISTICS OF THE DEFENDANT

Lamont Andre Thomas was born on June 5, 1987 in Fairfax, Virginia to the non-marital union of his parents. The co-defendant, Eugene Anthony Thomas, is the defendant's older brother from the same parents. The defendants have three half-siblings. His parents' relationship lasted until the defendant was nine years old. Thereafter, his mother was the primary caretaker. His mother worked multiple jobs to support her children and at times, the family struggled financially and their utilities were shut off.

At age thirteen, Mr. Thomas began using marijuana and alcohol on a regular basis which continued throughout his teen years and into his twenties. His later years included the usage of cocaine and MDMA. The defendant was expelled from the Fairfax County Public Schools but he received his GED while incarcerated in the Fairfax County Juvenile Detention Center in 2005. Mr. Thomas has a history of mental health issues including a diagnosis of ADHD and Bipolar Disorder.

The defendant was married on May 12, 2011 and one child was born of the marriage. His wife and child currently live in Georgia. In past years, Mr. Thomas was employed intermittently by Champion Services, a waste disposal company and other companies for short periods of time. He has been incarcerated continuously since April, 2012.

ARGUMENT

Mr. Thomas respectfully requests this Honorable Court to sentence him to no more than the mandatory minimum of seven years incarceration. After a one and a half day jury trial in March, 2015, the jury deliberated for two and a half days and could not reach a verdict. Thereafter, Mr. Thomas accepted the government's plea offer and spared the Court and the government the time and expense of a second jury trial.

Throughout the trial, it was clear that Mr. Thomas did not rob the store clerks. Paragraph 26 of the Pre-sentence Investigation Report correctly states that Mr. Thomas played a supporting role in the offenses. His brother, Eugene, is considered the master mind and the primary perpetrator of the robberies.

Additionally, Mr. Thomas fully accepts responsibility for his actions and blames no one but himself for the position he is in today. He knows he exercised poor judgment by assisting his brother and participating in the robberies. After serving his time in prison, Mr. Thomas plans to turn his life around by furthering his education and supporting his family.

For these reasons and those that may be argued, Mr. Thomas respectfully requests this Honorable Court to sentence him to no more than seven years in prison. Such a sentence reasonably and appropriately accounts for the factors set forth in 18 U.S.C., Section 3553(a), reflects the seriousness of the offense, promotes respect for the law, provides a just punishment for this offense and affords an adequate deterrence to criminal conduct.

Respectfully submitted,

LAMONT ANDRE THOMAS
By Counsel

_____/s/_____
Denise Jakabcin Tassi
Virginia Bar No. 23040
Counsel for Defendant
Law Office of Denise J. Tassi
221 South Fayette Street
Alexandria, Virginia 22314
Tel: (703) 836-9080
Fax: (703) 690-5789
E:mail: DJTassi@verizon.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of July, 2015, a true copy of the foregoing was electronically filed with the Clerk of the Court using CM/ECF which will then send a notification of such filing (NEF) to:

Jonathan Fahey, AUSA and William C. Byerley, USPO

_____/s/_____
Denise J. Tassi
Virginia Bar No. 23040
Counsel for Defendant
Law Office of Denise J. Tassi
221 South Fayette Street
Alexandria, Virginia 22314
Tel: (703) 836-9080
Fax: (703) 690-5789
E-mail: DJTassi@verizon.net